



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



October 18, 2002

LETTER OF DEFICIENCY# WSEB 02-146
Certified Mail #7099 3400 0003 0691 0591

Stephen Di Battiste
271 Marlboro Street
Keene, NH 03431

Subject: Allenstown - Public Water System: Bear Brook Gardens #1 (EPA #0043020)

Dear Mr. Di Battiste:

The records of the NH Department of Environmental Services (DES) show that the Bear Brook Gardens #1 water system is classified as a community water system, as defined by RSA 485:1-a. A community water system is defined as a public water system that serves at least 15 service connections used by year-round residents, or regularly serves at least 25 year-round residents.

Pursuant to NH Admin. Rule Env-Ws 352, the water system owner is required to issue to the system's customers a Consumer Confidence Report (CCR) by July 1st of each year. The CCR discloses water quality information that includes, but is not limited to, information on source water, levels of specific detected contaminants, and any drinking water violations the water system incurred during the past calendar year. Env-Ws 352 also requires the system owner to forward a copy of the CCR to DES by July 1st of each year and to submit certification of the CCR to DES by October 1st of each year.

DES records show that the subject water system was issued a Notice of Violation, dated **August 20, 2002** for failure to forward to DES a copy of the 2002 CCR by July 1, 2002. To date, DES has not received a copy of the CCR as requested. DES records also show that the water system has failed to submit certification of the CCR to DES by October 1, 2002. The failure to submit a copy of the CCR and the CCR certification to DES places the water system in violation of Env-Ws 352.

DES believes the CCR violations can be corrected by taking the following actions:

1. **By November 12, 2002**, prepare and deliver to the water system's customers and DES the 2002 Consumer Confidence Report containing calendar year 2001 drinking water information; and
2. **By November 19, 2002**, submit to DES the 2002 CCR certification

In the event compliance is not achieved within this period, DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

A CCR template with instructions is available for downloading free of charge at www.des.state.nh.us/wseb/ccr.htm. If your system uses the state laboratory, laboratory results are available from this website also.

The copy of the 2002 CCR and 2002 CCR certification as requested above should be addressed as follows:

Alan Leach
Department of Environmental Services
Water Supply Engineering Bureau
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Please contact Richard Thayer at (603) 271-2950 or by email at rthayer@des.state.nh.us, if you have any technical questions regarding the preparation and certification of the 2002 CCR. If you have any questions concerning this letter, please contact Alan Leach at (603) 271-2854 or by email at aleach@des.state.nh.us.

Sincerely,



Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

h:\wseb\enfmon\enforce\lods\ccr\0043020 lod 02-146.doc

cc: Gretchen Rule, DES Legal Unit
Donna Meadows, Town of Allentown Health Officer
Gary Gourlay, Primary Operator
EPA, Region 1